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SUBJECT: MEDIA, POLITICAL PARTIES, LAWYERS AND OFFICIALS ON  
PRESS FREEDOM

REF: 06 ALGIERS 2087

Classified By: DCM Thomas F. Daughton; reasons 1.4 (b, d)

¶1. (C) SUMMARY: In a series of meetings June 9-10 with DRL DAS Barks-Ruggles, Algerian media, government and political party representatives and members of the legal community gave their views on press freedom and Algeria's defamation laws. Journalists and lawyers said freedom of expression in Algeria is limited and, in some ways, increasingly so, and called for the reform of the country's defamation laws. Government representatives said defamation laws were being reexamined.  
END SUMMARY.

JOURNALISTS ON PRESS FREEDOM  
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¶2. (U) In a meeting with DRL DAS Barks-Ruggles, members of the Algerian National Journalist's Union (SNJ) and the local coordinator for the Algerian chapter of the International Federation of Journalists (FIJ) said the GOA exerted political control over Algeria's independent press through several means. These include provisions in the penal code criminalizing defamation, the absence of a baseline guarantee of social benefits and professional standards for journalists, and government control of newspaper advertising funds and the union's operating budget. In something of a contradiction, union members also lamented the lack of government investment in developing Algeria's independent press.

¶3. (C) FIJ coordinator Nadir Bensebba presented DAS Barks-Ruggles with a proposal articulating baseline social benefit guarantees. The SNJ and FIJ drafted the proposal in coordination with the ministries of communication and labor. (Note: On June 17, the Minister of Communication said in an interview that new social benefit guarantees for journalists would soon be made public.) The SNJ and FIJ representatives believe these guarantees will bolster press freedom, not only by providing better working conditions for journalists but also by setting clear guidelines that will help the industry self-regulate, an important step in working towards decriminalizing defamation. DAS Barks-Ruggles expressed USG support for decriminalizing defamation and explained that the new Defending the Defenders fund might be used to assist with legal costs of journalists being harassed through defamation lawsuits.

HUMAN RIGHTS LAWYERS' VIEW  
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¶4. (C) Human rights lawyers Fatma Benbraham, Mostefa Bouchachi, Khaled Bourayou and Si Mohamed Tahri told us that Algeria's political space is restricted. In spite of that,

Tahri cited widespread media coverage of the recent Khalifa Bank scandal to assert there were outlets for expression in Algeria. Bourayou concurred and said he was equally impressed with the media's coverage, which included open indictments of government officials. Addressing defamation, Benbraham said it should be decriminalized and that truth, not perceived offense, should be the criterion by which defamation cases are brought and decided. (Comment: This is a critical issue in discussing press freedom. The recent conviction for defamation of a journalist and editor from the Arabic-language daily Echourouk el-Youmi for articles widely believed to be accurate about Libyan leader Moammar Kaddafi highlights that truth is not the deciding factor in these cases. While the journalists received suspended sentences and reduced fines, the prosecutor has appealed this case to Algeria's supreme court. End comment.)

#### THE GOVERNMENT VIEW

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15. (C) Ministry of Justice Secretary General Messaoud Boufercha maintained that individuals were the driving force behind defamation charges brought against journalists, not the Justice Ministry. While asserting that journalists needed to develop a code of conduct, he admitted that the Algerian government was examining its defamation laws "with a view to making them more applicable to today's environment." (Comment: When pressed, he declined to engage on whether such reforms would include decriminalizing defamation. End Comment.) He also asserted it was "not possible" that Algerian colonial law could be used to prosecute bloggers or others for religious defamation, as happened recently in Egypt.

16. (C) Farouk Ksentini, president of the government's

National Commission for the Promotion and Protection of Human Rights, told us that Algeria was engaged in a discussion on the decriminalization of defamation because the laws currently used were old and were not specifically written to address the media.

#### THE VIEW FROM POLITICAL PARTIES

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17. (C) National Secretary in charge of Communications of the Union for Democracy and the Republic (UDR) Mohamed Arezki Boumendil described Algeria's electronic media, which is entirely state-owned, as very restricted and added that television journalists risked losing their jobs if they featured stories on his opposition party or on the Rally for Culture and Democracy (RCD). He also said a lack of professionalism among Algerian journalists had resulted in journalists trying to "out-bid" each other in order to write the most attention-grabbing stories. Ruling National Liberation Front (FLN) parliamentarian Farida Illmi countered that journalists should be more responsible in their reporting and that their criticism of individuals should "not be excessive."

#### COMMENT

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18. (C) Issues such as using criminal defamation to control the media are well documented (reftel) and we continue to engage on this subject with both journalists and the government. Some of the journalist union members' complaints reflect a lingering socialist mind-set prevalent among many Algerians, who believe the GOA should subsidize the media to (artificially) support smaller papers. The idea that true editorial independence rests on financial independence has not won complete acceptance. Papers that understand this, such as El Khabar, El Watan, and increasingly Echourouk el-Youmi, enjoy greater financial freedom and, consequently, greater editorial independence. Privatization of the electronic media remains critical to advancing media freedom and decreasing the popularity of pan-Arab satellite TV channels that carry a more extreme message.

19. (U) This cable has been cleared by DAS Barks-Ruggles.  
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